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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/665,470	09/22/2003	Tsukasa Ueno	275269/02	1672

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EXAMINER

WIN, AUNG T

ART UNIT PAPER NUMBER

2617

DATE MAILED: 12/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/665,470

Applicant(s)

UENO, TSUKASA

Examiner

Aung T. Win

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 December 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-3, 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hughes et al. (US006484029B2).

1.1 Regarding Claims 1 & 10, Hughes discloses a wireless LAN system having an access point connected through a wire network [Access point 12 or 14: Figure 1] and a mobile terminal [18, 20 & 22: Figure 1] performing a wireless communication with said access point. Hughes discloses that mobile station is reconfigured by selecting the operating frequency information stored in mobile memory [frequency table: Column 3, Line 20-40] on the basis of the area information inputted into said mobile terminal [User input to verify the country information: Column 4, Line 3-14] at the time of setting a frequency for performing a wireless communication, and a communication circuit (i.e., inherent wireless communication circuit) through which said access point and said mobile terminal perform a wireless communication with each other by means of the wireless frequency selected by said selection circuit [Column 3, Line 36-40].

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1.2 Regarding Claims 2 & 11, Hughes discloses frequency table [Column 3, Line 20-40], which include country information and all permitted wireless regulatory and operating frequency characteristic information.

1.3 Claims 3 & 12 are rejected for the same reason as stated above in Claim 1 rejection. Hughes discloses that selection circuit performs reception operations by means of all wireless frequency values permitted in said area [i.e., communicating in accordance with all permitted wireless regulatory and operating characteristic information: Column 3, Line 20-40]. Hughes also discloses that mobile station and access point communicates based on mobile adjusted operating frequency by selecting operating frequency out of available frequency sets information received from access point [Column 2, line 10-15] [Column 2, Line 60 – Column 3, Line 6]. Hughes also discloses displaying permitted wireless regulatory and operating frequency characteristic information of available frequency sets to the user [Column 3, Line 41-50].

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 4, 7, 13, 16 & 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Halasz (US006732163B1) in view of Motomura (EP1209863A2).

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2.1 Regarding Claims 4, 7, 13, 16 & 17, Halasz disclose a wireless LAN system and method having an access point [Figure 2A] performing wireless communication with a portable mobile unit [Figure 2A]. Halasz discloses that the access point selects usable operating frequency from the list of operating frequencies [Figure 3] for communicating with the mobile unit [Column 7, Line 49-60] [Column 8, Line 28-30] [Column 9, Line 37-48] [Column 10, Line 22-54]. Therefore, it is obvious to one of ordinary skill in the art that access point must have selection circuit for selecting frequency and communication circuit for communicating with portable mobile unit. Halasz fails to disclose maintenance device.

Motomura discloses a system and method for writing operating frequency bands associated with different countries [0010] into electronic apparatus [0022] through a communication unit [0024 & 0025] in order to operate the electronic apparatus accordingly. Motomura also teaches that frequency bands information can be manually changes as necessary [0048 & 0061].

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention of made to modify Halasz's wireless LAN system to utilize the communication unit as taught by Motomura as maintenance device to input the operating frequency bands associated with specific country by a user as claimed. One of ordinary skill in the art would have been motivated to do this to provide improved access point for configuring the access point to communicate mobile terminal used in different countries.

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3. Claims 5, 6, 8, 9, 14, 15, 18, 19 & 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Halasz (US006732163B1) in view of Motomura (EP1209863A2), further in view of Hughes et al. (US006484029B2).

3.1 Regarding Claims 5, 8, 14 & 18, modified system and method discloses all the limitations as stated above but does not explicitly discloses permitted wireless frequency values.

Hughes discloses a wireless LAN system having an access point [Access point 12 or 14: Figure 1] performing wireless communication with the access point in accordance with country information and all permitted wireless regulatory and operating frequency characteristic information stored in frequency table [frequency table: Column 3, Line 20-40].

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention of made to further modify the frequency information loaded to the access point with permitted frequency values information as taught by Hughes. One of ordinary skill in the art would have been motivated to do this to ensure that the operation of access point is complying with all permitted wireless regulatory of operating countries or regions.

3.2 Claims 6, 9, 15 & 19 are rejected for the same reason as stated above in Claim 5 rejection. It is obvious to one of ordinary skill in the art that modified system would selected the operating frequency as claimed because Halasz teaches that operating

frequency is selected from frequencies operating in different regions [Halasz: Figure 3] [Halasz: Column 7, Line 49-60] [Halasz: Column 8, Line 28-30] [Halasz: Column 9, Line 37-48] [Halasz: Column 10, Line 22-54].

3.3 Regarding Claim 20, Halasz disclose a wireless LAN system and method having an access point [Figure 2A] performing wireless communication with a portable mobile unit [Figure 2A]. Halasz discloses that the access point selects usable operating frequency from the list of operating frequencies [Figure 3] for communicating with the mobile unit [Column 7, Line 49-60] [Column 8, Line 28-30] [Column 9, Line 37-48] [Column 10, Line 22-54]. Therefore, it is obvious to one of ordinary skill in the art that access point must have selection circuit for selecting frequency and communication circuit for communicating with portable mobile unit. Halasz fails to disclose maintenance device.

Motomura discloses a system and method for writing operating frequency bands associated with different countries [0010] into electronic apparatus [0022] through a communication unit [0024 & 0025] in order to operate the electronic apparatus accordingly. Motomura also teaches that frequency bands information can be manually changes as necessary [0048 & 0061].

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention of made to modify Halasz's wireless LAN system to utilize the communication unit as taught by Motomura as maintenance device to input the operating frequency bands associated with specific country by a user as claimed. One

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of ordinary skill in the art would have been motivated to do this to provide improved access point for configuring the access point to communicate mobile terminal used in different countries.

Modified method does not explicitly discloses permitted wireless frequency values.

Hughes discloses a wireless LAN system having an access point [Access point 12 or 14: Figure 1] performing wireless communication with the access point in accordance with country information and all permitted wireless regulatory and operating frequency characteristic information stored in frequency table [frequency table: Column 3, Line 20-40].

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention of made to further modify the frequency information loaded to the access point with permitted frequency values information as taught by Hughes. One of ordinary skill in the art would have been motivated to do this to ensure that the operation of access point is complying with all permitted wireless regulatory of operating countries or regions.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aung T. Win whose telephone number is (571) 272-7549. The examiner can normally be reached on 8:30 AM - 5:00 PM.



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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duc Nguyen can be reached on (571) 272-7503. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Aung T. Win  
Group Art Unit 2617  
December 11, 2006

  
CHARLES APPIAH  
PRIMARY EXAMINER